



PATENT APPLICATION NO.  
ATTORNEY DOCKET NO. 22151.PCT.US

## DECLARATION AND PETITION

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled A PARAMETRIC LOUDSPEAKER SYSTEM AND METHOD FOR ENABLING ISOLATED LISTENING TO AUDIO MATERIAL, the specification of which is attached hereto, or which was filed on April 10, 2006 as THORPE NORTH & WESTERN L.L.P. Docket No. 22151.PCT.US, and given United States Application No. 10/515,612 and that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit of the earlier filed patent application filed as PCT International Application No. PCT/US2004/033308 which claims priority to United States Provisional Application No. 60/509,731 filed on October 8, 2003; and insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code,

and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at San Diego, CA, this 15<sup>th</sup> day of August, 2006.

INVENTOR(S):



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Attorney Docket No. 22151.PCT.US

## POWER OF ATTORNEY

American Technology Corporation, a corporation, organized and existing under the laws of the State of Delaware, having a business address of 15378 Avenue of Science, Suite 100, San Diego, CA 92128, owner of all right, title and interest in the invention entitled A PARAMETRIC LOUDSPEAKER SYSTEM AND METHOD FOR ENABLING ISOLATED LISTENING TO AUDIO MATERIAL for which an application for United States Letters Patent which was filed on April 10, 2006 as THORPE NORTH & WESTERN, LLP Docket No. 22151.PCT.US, and given U.S. Patent Application Serial No. 10/575,672, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or agents all registered patent practitioners/attorneys associated with Customer Number 20,551; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to **Vaughn W. North** at the address associated with the above-mentioned Customer Number. (Even though an attorney is listed, please associate the above-mentioned Customer Number with this case.).

Dated this 15<sup>th</sup> day of <sup>August</sup> ~~Sept~~ 2006 at San Diego, CA (City, State).

American Technology Corporation

By: James J. Croft  
Name: James J. Croft  
Title: CTO